

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**

KLUMBA.UA, LLC,

Plaintiff,

v.

DMYTRO DUBYNA, KLUMBA.COM,

and

KLUMBA.COM, LTD,

Defendants.

Case No. 1:15-cv-00760-GBL-MSN

DEFENDANTS' MOTION TO SET ASIDE DEFAULT JUDGMENT

Defendants Dmytro Dubyna and klumba.com (collectively, "Defendants"), by counsel, hereby request pursuant to Rules 55(c) and 60(b) of the Federal Rules of Civil Procedure to set aside the Amended Order and Final Judgment entered on April 11, 2016. [DE 33]. Pursuant to Local Civil Rule 7(E), counsel for Defendants called Plaintiff's counsel in an attempt to meet and confer in good faith with Plaintiff regarding this Motion. Counsel for Defendants left a message for Plaintiff's counsel and were informed that Plaintiff's counsel was out of the office for the week and unavailable to confer. At the time of this filing, counsel for Defendants have been unable to reach Plaintiff's counsel and therefore consider this Motion opposed.

The basis for this motion is set forth more fully in the accompanying Memorandum in Support of Motion to Set Aside the Default Judgment.

WHEREFORE, Defendants respectfully request that the Court grant this Motion and set aside the Amended Order and Final Judgment entered on April 11, 2016. [DE 33].

Dated: April 29, 2016

Respectfully submitted,

By: /s/ Eric Y. Wu

Lora A. Brzezynski, VSB No. 36151

Cass W. Christenson, (of counsel, *pro hac vice*
application forthcoming)

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 29th day of April, 2016, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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Dated: April 29, 2016

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